

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

In re THE RESERVE FUND SECURITIES AND  
DERIVATIVE LITIGATION

WILLIAM ROSS and DAWN ROSS,  
Individually and On Behalf of All Others  
Similarly Situated,

Plaintiffs,

v.

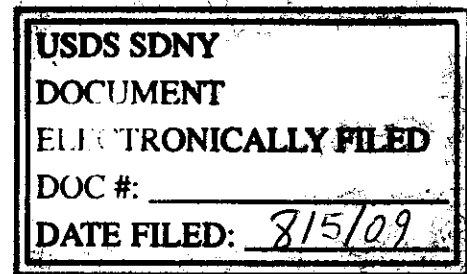
RESERVE MANAGEMENT COMPANY, INC.,  
et al.,

Defendants.

09 MD. 2011 (PGG)

**ORDER**

08 Civ. 10261 (PGG)



PAUL G. GARDEPHE, U.S.D.J.:

After hearing oral argument on August 5, 2009 concerning the pending motions for appointment of lead plaintiff and approval of the proposed lead plaintiffs' selection of counsel in the above-captioned case (08-cv-10261), this Court will permit limited discovery with respect to the Reserve Yield Plus Fund Investor Group ("Investor Group"), which has moved to be appointed as Lead Plaintiff pursuant to the Private Securities Litigation Reform Act of 1995 ("PSLRA"), 15 U.S.C. § 78u-4(3).

Accordingly, it is hereby ORDERED that, by Monday, August 10, 2009, counsel for proposed lead plaintiff James Passilla may submit interrogatories to the Investor Group – with two courtesy copies contemporaneously provided to this Court – seeking information concerning whether the Investor Group was formed in bad faith, was lawyer-instigated, or is likely to be lawyer-dominated. Interrogatories should address inter alia (1) whether there was a pre-litigation relationship between Investor Group members; (2) the circumstances of how and

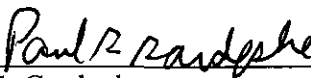
when each member of the Investor Group first came to interact with Reed R. Kathrein and/or Hagens Berman Sobol Shapiro LLP concerning the subject matter of this case; (3) whether the November 20, 2008 Yahoo posting by Mr. Kathrein played any role in the development of an attorney-client relationship between Mr. Kathrein and/or Hagens Berman Sobol Shapiro LLP and any member of the Investor Group; and (4) the involvement of each Investor Group member in interviewing and/or negotiating with law firm personnel concerning their possible service as potential lead counsel in this action, including the names of the applicable law firms. Answers to interrogatories should be submitted under oath.

It is further ORDERED that the responses to these interrogatories will be served on counsel for James Passilla by Wednesday, August 19, 2009, and that two courtesy copies of these responses will be contemporaneously provided to this Court.

It is further ORDERED that, by Friday, August 28, 2009, any supplemental letter submissions will be submitted to this Court by facsimile in accordance with this Court's Individual Practices.

Dated: New York, New York  
August 5, 2009

SO ORDERED.

  
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Paul G. Gardephe  
United States District Judge